

2018

Bonneville Power Administration's Management Directive (MD) 715

B O N N E V I L L E
P O W E R A D M I N I S T R A T I O N



Office of Civil Rights and Equal Employment
Opportunity

Elliot E. Mainzer, Administrator and Chief Executive Officer

Toya L. Bligen, Director, Office of Civil Rights and Equal Employment Opportunity

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FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT

MD-715
Parts A Through E

Part A - Department or Agency Identifying Information

Agency	Second Level Component	Address	City	State	Zip Code	Agency Code	FIPS Code
US Department of Energy	Bonneville Power Administration	905 NE 11 th Ave	Portland	OR	97232	DN82	

Part B - Total Employment

Total Employment	Permanent Workforce	Temporary Workforce	Total Workforce
Number of Employees	2789	6	2795

Part C.1 - Head of Agency and Head of Agency Designee

Agency Leadership	Name	Title
Head of Agency	Elliot E. Mainzer	Administrator and Chief Executive Officer
Head of Agency Designee	Toya L. Bligen	Director Civil Rights and Equal Employment Opportunity

Part C.2 - Agency Official(s) Responsible for Oversight of EEO Program(s)

EEO Program Staff	Name	Title	Occupational Series	Pay Plan and Grade	Phone Number	Email Address
Principal EEO Director/Official	Toya L. Bligen	Director Civil Rights and Equal Employment Opportunity	0260	GS-15	503-230-3566	tlbligen@bpa.gov
Affirmative Employment Program Manager	Lidia R. Somilleda	EEO Specialist	0260	GS-13	503-230-5587	lrsomilleda@bpa.gov
Complaint (Formal) Processing	Lidia R. Somilleda	EEO Specialist	0260	GS-13	503-230-5587	lrsomilleda@bpa.gov

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EEO Program Staff	Name	Title	Occupational Series	Pay Plan and Grade	Phone Number	Email Address
Program Manager						
Complaint (Informal) Processing Program Manager	Angela L. Dowling	EEO Specialist	0260	GS-13	503-230-3642	aldowling@bpa.gov
Title VI & Title IX Program Manager	Mark A. Holman	EEO Specialist	0260	GS-13	503-230-3231	maholman@bpa.gov
Diversity & Inclusion Officer	Maria Mondragon-Almy	Manager, Diversity & Inclusion	0301	GS-13	503-230-4986	mdmondragon-almy@bpa.gov
Reasonable Accommodation Program Manager	LesleyAnne Ezelle	Human Resources Specialist, Employee Relations/ Performance Manager	0201	GS-11	503-230-3163	laezelle@bpa
ADR Program Manager	Angela L. Dowling	EEO Specialist	0260	GS-13	503-230-3642	aldowling@bpa.gov
Compliance Manager	Thomas McDonald	Executive Vice President, Compliance and Risk Management	0301	SES	503-230-3251	tamcdonald@bpa.gov
Principal MD-715 Preparer	Mark Holman	EEO Specialist	0260	GS-13	503-230-3231	maholman@bpa.gov

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Part D.1 – List of Subordinate Components Covered in this Report

Please identify the subordinate components within the agency (e.g., bureaus, regions, etc.).

☒ If the agency does not have any subordinate components, please check the box.

Subordinate Component	City	State	Country (Optional)	Agency Code (xxxx)	FIPS Codes (xxxxx)

Part D.2 – Mandatory and Optional Documents for this Report

In the table below, the agency must submit these documents with its MD-715 report.

Did the agency submit the following mandatory documents?	Please respond Yes or No	Comments
Organizational Chart	Yes	
EEO Policy Statement	Yes	
Strategic Plan	Yes	
Anti-Harassment Policy and Procedures	Yes	Currently, BPA abides by the DOE issued Anti-Harassment Policy
Reasonable Accommodation Procedures	Yes	
Personal Assistance Services Procedures	No	BPA utilizes a DOE contract as a means to obtain these services
Alternative Dispute Resolution Procedures	Yes	

In the table below, the agency may decide whether to submit these documents with its MD-715 report.

Did the agency submit the following optional documents?	Please respond Yes or No	Comments
Federal Equal Opportunity Recruitment Program (FEORP) Report	Yes	
Disabled Veterans Affirmative Action Program (DVAAP) Report	Yes	

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Did the agency submit the following optional documents?	Please respond Yes or No	Comments
Operational Plan for Increasing Employment of Individuals with Disabilities under Executive Order 13548	No	The strategy used in the DVAAP are also utilized for increasing employment for individuals with disabilities
Diversity and Inclusion Plan under Executive Order 13583	Yes	
Diversity Policy Statement	Yes	
Human Capital Strategic Plan	Yes	
EEO Strategic Plan	Yes	
Results from most recent Federal Employee Viewpoint Survey or Annual Employee Survey	Yes	

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Part E – Executive Summary

All agencies must complete Part E.1; however, only agencies with 199 or fewer employees in permanent FT/PT appointments are required to complete Part E.2 to E.5. Agencies with 200 or more employees in permanent FT/PT appointments have the option to Part E.2 to E.5.

Part E.1 - Executive Summary: Mission

The Office of Civil Rights and EEO leads BPA's efforts to maintain a model EEO program in accordance with EEOC and DOE laws, rules, regulations, policies, and practices. The mission of the EEO office is: Our mission is to create and maintain a positive discrimination, harassment and hostility free work environment, through proactive prevention and education, in which everyone can thrive.

. The guiding principles are:

1. We strive to be trustworthy stewards who provide useful information that allows people to make informed decisions about Equal Employment Opportunity and Civil Rights.
2. We will take an empathetic unbiased approach, actively listen to and- as appropriate- seek resolutions to raised concerns at the lowest possible level.
3. As we address concerns, we will be timely in our communication and interactions, as well as adhere to the standards of timeliness as outlined by the Equal Employment Opportunity Commission.
4. We will do business in a manner that is kind to our patrons, exudes honesty, and is equitable and respectful.
5. We will offer a safe place to speak in confidence; we will honor anonymity and uphold our duty to adhere to Agency policies, as well as federal laws, regulation, rules and executive orders.
6. The staff consists of an EEO Director and three EEO specialists.

Part E.2 - Executive Summary: Essential Element A - F

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Part E.3 - Executive Summary: Workforce Analyses

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Part E.4 - Executive Summary: Accomplishments

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Part E.5 - Executive Summary: Planned Activities

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<small>EEOC FORM</small> 715-01 <small>PART F</small>	<small>U.S. Equal Employment Opportunity Commission</small> FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT
CERTIFICATION of ESTABLISHMENT of CONTINUING EQUAL EMPLOYMENT OPPORTUNITY PROGRAMS	
<p>I, <u>Toya L. Bligen</u> am the <small>(Insert name above) (Insert official title/series/grade above)</small></p> <p>Principal EEO Director/Official for <u>Bonneville Power Administration (BPA)</u> <small>(Insert Agency/Component Name above)</small></p>	
<p>The agency has conducted an annual self-assessment of Section 717 and Section 501 programs against the essential elements as prescribed by EEO MD-715. If an essential element was not fully compliant with the standards of EEO MD-715, a further evaluation was conducted and, as appropriate, EEO Plans for Attaining the Essential Elements of a Model EEO Program, are included with this Federal Agency Annual EEO Program Status Report.</p> <p>The agency has also analyzed its work force profiles and conducted barrier analyses aimed at detecting whether any management or personnel policy, procedure or practice is operating to disadvantage any group based on race, national origin, gender or disability. EEO Plans to Eliminate Identified Barriers, as appropriate, are included with this Federal Agency Annual EEO Program Status Report.</p> <p>I certify that proper documentation of this assessment is in place and is being maintained for EEOC review upon request.</p>	
<div style="display: flex; justify-content: space-between;"><div style="width: 60%;"><p>_____ Signature of Principal EEO Director/Official Certifies that this Federal Agency Annual EEO Program Status Report is in compliance with EEO MD-715.</p><p>_____ Signature of Agency Head or Agency Head Designee</p></div><div style="width: 35%; text-align: center;"><p>May 29, 2019</p><p>_____ Date</p><p>_____ Date</p></div></div>	

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MD-715 - PART G
Agency Self-Assessment Checklist

The Part G Self-Assessment Checklist is a series of questions designed to provide federal agencies with an effective means for conducting the annual self-assessment required in Part F of MD-715. This self-assessment permits EEO Directors to recognize, and to highlight for their senior staff, deficiencies in their EEO program that the agency must address to comply with MD-715's requirements. Nothing in Part G prevents agencies from establishing additional practices that exceed the requirements set forth in this checklist.

All agencies will be required to submit Part G to EEOC. Although agencies need not submit documentation to support their Part G responses, they must maintain such documentation on file and make it available to EEOC upon request.





The Part G checklist is organized to track the MD-715 essential elements. As a result, a single substantive matter may appear in several different sections, but in different contexts. For example, questions about establishing an anti-harassment policy fall within Element C (Management and Program Accountability), while questions about providing training under the anti-harassment policy are found in Element A (Demonstrated Commitment from Agency Leadership).

For each MD-715 essential element, the Part G checklist provides a series of "compliance indicators." Each compliance indicator, in turn, contains a series of "yes/no" questions, called "measures." To the right of the measures, there are two columns, one for the agency to answer the measure with "Yes", "No", or "NA;" and the second column for the agency to provide "comments", if necessary. Agencies should briefly explain any "N/A" answer in the comments. For example, many of the sub-component agencies are not responsible for issuing final agency decisions (FADs) in the EEO complaint process, so it may answer questions about FAD timeliness with "NA" and explain in the comments column that the parent agency drafts all FADs.

A "No" response to any measure in Part G is a program deficiency. For each such "No" response, an agency will be required in Part H to identify a plan for correcting the identified deficiency. If one or more sub-components answer "No" to a particular question, the agency-wide/parent agency's report should also include that "No" response.



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MD-715 - PART G
Agency Self-Assessment Checklist

Essential Element A: DEMONSTRATED COMMITMENT FROM AGENCY LEADERSHIP This element requires the agency head to communicate a commitment to equal employment opportunity and a discrimination-free workplace.				
 Compliance Indicator  Measures		Measure Met? (Yes/No/NA)	Comments	Current Part G Questions
A.1.a	Does the agency annually issue a signed and dated EEO policy statement on agency letterhead that clearly communicates the agency's commitment to EEO for all employees and applicants? If "yes", please provide the annual issuance date in the comments column. [see MD-715, II(A)]	No	The Agency posts and adheres to EEO policies issued by DOE and signed by SEC DOE, but will issue policies signed by the BPA Administrator annually starting January 2020	A.1.A.2
A.1.b	Does the EEO policy statement address all protected bases (age, color, disability, sex (including pregnancy, sexual orientation and gender identity), genetic information, national origin, race, religion, and reprisal) contained in the laws EEOC enforces? [see 29 CFR § 1614.101(a)]	Yes	The Agency currently posts and adheres to EEO policies issued by DOE and signed by SEC DOE, but will issue policies signed by the BPA Administrator annually starting January 2020	New
 Compliance Indicator  Measures	A.2 – The agency has communicated EEO policies and procedures to all employees.	Measure Met? (Yes/No/NA)	Comments	
A.2.a	Does the agency disseminate the following policies and procedures to all employees:	N/A		
A.2.a.1	Anti-harassment policy? [see MD 715, II(A)]	Yes		New
A.2.a.2	Reasonable accommodation procedures? [see 29 C.F.R § 1614.203(d)(3)]	Yes	RA is in the jurisdiction of HCM at BPA	New
A.2.b	Does the agency prominently post the following information throughout the workplace and on its public website:			
A.2.b.1	The business contact information for its EEO Counselors, EEO Officers, Special Emphasis Program Managers, and EEO Director? [see 29 C.F.R § 1614.102(b)(7)]	Yes		New
A.2.b.2	Written materials concerning the EEO program, laws, policy statements, and the operation of the EEO complaint	Yes		A.2.c



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	process? [see 29 C.F.R § 1614.102(b)(5)]			
A.2.b.3	Reasonable accommodation procedures? [see 29 C.F.R. § 1614.203(d)(3)(i)] If so, please provide the internet address in the comments column.	Yes	HCM maintains the following site: https://internal.bud.bpa.gov/EmployeeCenter/WorkLife/Pages/ReasonableAccommodation.aspx	A.3.c
A.2.c	Does the agency inform its employees about the following topics:			
A.2.c.1	EEO complaint process? [see 29 CFR §§ 1614.102(a)(12) and 1614.102(b)(5)] If "yes", please provide how often.	Yes	Policies are communicated and/or shared annually via required certified EEO training, the Agency website, and required bulletin board postings	A.2.a
A.2.c.2	ADR process? [see MD-110, Ch. 3(II)(C)] If "yes", please provide how often.	Yes	ADR is communicated via Civil Rights Director's weekly employee engagements, during monthly field visits and via annual DOE and BPA All Employee and All Managers meetings	New
A.2.c.3	Reasonable accommodation program? [see 29 CFR § 1614.203(d)(7)(ii)(C)] If "yes", please provide how often.	Yes	HCM manages the Reasonable Accommodation (RA) program and process. The RA program completed seven trainings to managers, either through the 2-day New Managers course or the 2-hour RA for Managers course. Also, contact information was published through the Managers Briefing package and then through the website	New
A.2.c.4	Anti-harassment program? [see EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.1] If "yes", please provide how often.	Yes	Both topics are communicated via Civil Rights Director's employee engagements, as well as annually	New
A.2.c.5	Behaviors that are inappropriate in the workplace and could result in disciplinary action? [5 CFR § 2635.101(b)] If "yes", please provide how often.	No	Disciplinary actions are within HCM's jurisdiction	A.3.b
 Compliance Indicator  Measures	A.3 – The agency assesses and ensures EEO principles are part of its culture.	Measure Met? (Yes/No/NA)	Comments New Compliance Indicator	



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A.3.a	Does the agency provide recognition to employees, supervisors, managers, and units demonstrating superior accomplishment in equal employment opportunity? [see 29 CFR § 1614.102(a)(9)] If "yes", provide one or two examples in the comments section.	Yes	BPA has an EEO and Diversity category by way of the annual Administrator's Excellence Award	New
A.3.b	Does the agency utilize the Federal Employee Viewpoint Survey or other climate assessment tools to monitor the perception of EEO principles within the workforce? [see 5 CFR Part 250]	Yes		New
Essential Element B: INTEGRATION OF EEO INTO THE AGENCY'S STRATEGIC MISSION This element requires that the agency's EEO programs are structured to maintain a workplace that is free from discrimination and supports the agency's strategic mission.				
 Compliance Indicator  Measures	B.1 - The reporting structure for the EEO program provides the principal EEO official with appropriate authority and resources to effectively carry out a successful EEO program.	Measure Met? (Yes/No/NA)	Comments	
B.1.a	Is the agency head the immediate supervisor of the person ("EEO Director") who has day-to-day control over the EEO office? [see 29 CFR §1614.102(b)(4)]	No	The Agency acknowledges this as an "accepted non-compliance"	B.1.a
B.1.a.1	If the EEO Director does not report to the agency head, does the EEO Director report to the same agency head designee as the mission-related programmatic offices? If "yes," please provide the title of the agency head designee in the comments.		Thomas McDonald, Executive Vice President, Compliance and Risk Management	New
B.1.a.2	Does the agency's organizational chart clearly define the reporting structure for the EEO office? [see 29 CFR §1614.102(b)(4)]	Yes		B.1.d
B.1.b	Does the EEO Director have a regular and effective means of advising the agency head and other senior management officials of the effectiveness, efficiency and legal compliance of the agency's EEO program? [see 29 CFR §1614.102(c)(1); MD-715 Instructions, Sec. I]	Yes	The EEO Director conducts weekly site visits to engage various work groups within and outside of the HQ Office.	B.2.a
B.1.c	During this reporting period, did the EEO Director present to the head of the agency, and other senior management officials, the "State of the agency" briefing covering the six essential elements of the model EEO program and the status of the barrier analysis process? [see MD-715 Instructions, Sec. I)] If "yes", please provide the date of the briefing in the comments column.	Yes	The EEO Director provides monthly CR and EEO briefings to the Chief Operating Officer and the Chief Administrative Officer	B.2.b





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B.1.d	Does the EEO Director regularly participate in senior-level staff meetings concerning personnel, budget, technology, and other workforce issues? [see MD-715, II(B)]	Yes		New
 Compliance Indicator  Measures	B.2 – The EEO Director controls all aspects of the EEO program.	Measure Met? (Yes/No/NA)	Comments New Compliance Indicator	
B.2.a	Is the EEO Director responsible for the implementation of a continuing affirmative employment program to promote EEO and to identify and eliminate discriminatory policies, procedures, and practices? [see MD-110, Ch. 1(III)(A); 29 CFR §1614.102(c)]	Yes		B.3.a
B.2.b	Is the EEO Director responsible for overseeing the completion of EEO counseling [see 29 CFR §1614.102(c)(4)]	Yes		New
B.2.c	Is the EEO Director responsible for overseeing the fair and thorough investigation of EEO complaints? [see 29 CFR §1614.102(c)(5)] [This question may not be applicable for certain subordinate level components.]	Yes		New
B.2.d	Is the EEO Director responsible for overseeing the timely issuing final agency decisions? [see 29 CFR §1614.102(c)(5)] [This question may not be applicable for certain subordinate level components.]	Yes	However, Final Agency Decisions (FADs) are written by the DOE Office of Civil Rights and EEO. The FADs are often not completed and issued within required timeframes. Additionally, when BPA utilizes a third-party FAD writer, the FADs are required to be reviewed by the Department of Energy Office of Civil Rights and EEO before issuance. This requirement also often results in untimeliness of BPA complaints processing	New
B.2.e	Is the EEO Director responsible for ensuring compliance with EEOC orders? [see 29 CFR §§ 1614.102(e); 1614.502]	Yes		F.3.b
B.2.f	Is the EEO Director responsible for periodically evaluating the entire EEO program and providing recommendations for improvement to the agency head? [see 29 CFR §1614.102(c)(2)]	Yes		New
B.2.g	If the agency has subordinate level components, does the EEO Director	N/A		New



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	provide effective guidance and coordination for the components? [see 29 CFR §§ 1614.102(c)(2) and (c)(3)]			
 Compliance Indicator  Measures	B.3 - The EEO Director and other EEO professional staff are involved in, and consulted on, management/personnel actions.	Measure Met? (Yes/No/NA)	Comments	
B.3.a	Do EEO program officials participate in agency meetings regarding workforce changes that might impact EEO issues, including strategic planning, recruitment strategies, vacancy projections, succession planning, and selections for training/career development opportunities? [see MD-715, II(B)]	Yes		B.2.c & B.2.d
B.3.b	Does the agency's current strategic plan reference EEO / diversity and inclusion principles? [see MD-715, II(B)] If "yes", please identify the EEO principles in the strategic plan in the comments column.	Yes	Diversity and Inclusion efforts and commitment are noted in the plan's Valuing People, Leadership section	New
 Compliance Indicator  Measures	B.4 - The agency has sufficient budget and staffing to support the success of its EEO program.	Measure Met? (Yes/No/NA)	Comments	
B.4.a	Pursuant to 29 CFR §1614.102(a)(1), has the agency allocated sufficient funding and qualified staffing to successfully implement the EEO program, for the following areas:			
B.4.a.1	to conduct a self-assessment of the agency for possible program deficiencies? [see MD-715, II(D)]	Yes		B.3.b
B.4.a.2	to enable the agency to conduct a thorough barrier analysis of its workforce? [see MD-715, II(B)]	Yes		B.4.a
B.4.a.3	to timely, thoroughly, and fairly process EEO complaints, including EEO counseling, investigations, final agency decisions, and legal sufficiency reviews? [see 29 CFR § 1614.102(c)(5) & 1614.105(b) – (f); MD-110, Ch. 1(IV)(D) & 5(IV); MD-715, II(E)]	No	The Office of Civil Rights and EEO is in the process of advertising for EEO Specialists (BFTE) and EEO Counselors (Collateral Duty)	E.5.b
B.4.a.4	to provide all supervisors and employees with training on the EEO program, including but not limited to retaliation, harassment, religious accommodations, disability accommodations, the EEO complaint process, and ADR? [see MD-715, II(B) and III(C)] If not, please identify the type(s) of training with insufficient funding in the comments column.	Yes		B.4.f & B.4.g
B.4.a.5	to conduct thorough, accurate, and effective field audits of the EEO programs in components and the field	Yes		E.1.c



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	offices, if applicable? [see 29 CFR §1614.102(c)(2)]			
B.4.a.6	to publish and distribute EEO materials (e.g. harassment policies, EEO posters, reasonable accommodations procedures)? [see MD-715, II(B)]	Yes		B.4.c
B.4.a.7	to maintain accurate data collection and tracking systems for the following types of data: complaint tracking, workforce demographics, and applicant flow data? [see MD-715, II(E)]. If not, please identify the systems with insufficient funding in the comments section.	Yes	BPA does not consistently utilize Applicant Flow data	New
B.4.a.8	to effectively administer its special emphasis programs (such as, Federal Women's Program, Hispanic Employment Program, and People with Disabilities Program Manager)? [5 USC § 7201; 38 USC § 4214; 5 CFR § 720.204; 5 CFR § 213.3102(t) and (u); 5 CFR § 315.709]	No	These SEP Manager positions are currently vacant and outreach efforts are underway	B.3.c, B.3.c.1, B.3.c.2, & B.3.c.3
B.4.a.9	to effectively manage its anti-harassment program? [see MD-715 Instructions, Sec. I); EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.1]	No	BPA currently does not have a formal anti-harassment process in place	New
B.4.a.10	to effectively manage its reasonable accommodation program? [see 29 CFR § 1614.203(d)(4)(ii)]	Yes	RA is within HCM's jurisdiction	B.4.d
B.4.a.11	to ensure timely and complete compliance with EEOC orders? [see MD-715, II(E)]	Yes		New
B.4.b	Does the EEO office have a budget that is separate from other offices within the agency? [see 29 CFR § 1614.102(a)(1)]	Yes		New
B.4.c	Are the duties and responsibilities of EEO officials clearly defined? [see MD-110, Ch. 1(III)(A), 2(III), & 6(III)]	Yes		B.1.b
B.4.d	Does the agency ensure that all new counselors and investigators, including contractors and collateral duty employees, receive the required 32 hours of training, pursuant to Ch. 2(II)(A) of MD-110?	Yes		E.2.d
B.4.e	Does the agency ensure that all experienced counselors and investigators, including contractors and collateral duty employees, receive the required 8 hours of annual refresher training, pursuant to Ch. 2(II)(C) of MD-110?	Yes		E.2.e
 Compliance Indicator  Measures	B.5 – The agency recruits, hires, develops, and retains supervisors and managers who have effective managerial, communications, and interpersonal skills.	Measure Met? (Yes/No/NA)	Comments New Indicator	

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B.5.a	Pursuant to 29 CFR § 1614.102(a)(5), have all managers and supervisors received training on their responsibilities under the following areas under the agency EEO program:		Yes	
B.5.a.1	EEO Complaint Process? [see MD-715(II)(B)]	No	Steps are being taken to implement EEO training; some may be incorporated into required supervisor training	New
B.5.a.2	Reasonable Accommodation Procedures? [see 29 C.F.R. § 1614.102(d)(3)]	No	RA is in the jurisdiction of HCM at BPA	A.3.d
B.5.a.3	Anti-Harassment Policy? [see MD-715(II)(B)]	No	BPA currently does not have an Anti-Harassment policy or process in place	New
B.5.a.4	Supervisory, managerial, communication, and interpersonal skills in order to supervise most effectively in a workplace with diverse employees and avoid disputes arising from ineffective communications? [see MD-715, II(B)]	Yes	These trainings are in the jurisdiction of the office of Diversity and Inclusion and reinforced to ongoing EEO workforce engagements	New
B.5.a.5	ADR, with emphasis on the federal government's interest in encouraging mutual resolution of disputes and the benefits associated with utilizing ADR? [see MD-715(II)(E)]	No	See comment B.5.a.1	E.4.b
 Compliance Indicator  Measures	B.6 – The agency involves managers in the implementation of its EEO program.	Measure Met? (Yes/No/NA)	Comments New Indicator	
B.6.a	Are senior managers involved in the implementation of Special Emphasis Programs? [see MD-715 Instructions, Sec. I]	No		New
B.6.b	Do senior managers participate in the barrier analysis process? [see MD-715 Instructions, Sec. I]	Yes		D.1.a
B.6.c	When barriers are identified, do senior managers assist in developing agency EEO action plans (Part I, Part J, or the Executive Summary)? [see MD-715 Instructions, Sec. I]	Yes		D.1.b
B.6.d	Do senior managers successfully implement EEO Action Plans and incorporate the EEO Action Plan Objectives into agency strategic plans? [29 CFR § 1614.102(a)(5)]	Yes		D.1.c
Essential Element C: MANAGEMENT AND PROGRAM ACCOUNTABILITY This element requires the agency head to hold all managers, supervisors, and EEO officials responsible for the effective implementation of the agency's EEO Program and Plan.				

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 Compliance Indicator  Measures	C.1 – The agency conducts regular internal audits of its component and field offices.	Measure Met? (Yes/No/NA)	Comments	
C.1.a	Does the agency regularly assess its component and field offices for possible EEO program deficiencies? [see 29 CFR §1614.102(c)(2)] If "yes", please provide the schedule for conducting audits in the comments section.	Yes		New
C.1.b	Does the agency regularly assess its component and field offices on their efforts to remove barriers from the workplace? [see 29 CFR §1614.102(c)(2)] If "yes", please provide the schedule for conducting audits in the comments section.	Yes		New
C.1.c	Do the component and field offices make reasonable efforts to comply with the recommendations of the field audit? [see MD-715, II(C)]	Yes		New
 Compliance Indicator  Measures	C.2 – The agency has established procedures to prevent all forms of EEO discrimination.	Measure Met? (Yes/No/NA)	Comments New Indicator	
C.2.a	Has the agency established comprehensive anti-harassment policy and procedures that comply with EEOC's enforcement guidance? [see MD-715, II(C); Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (Enforcement Guidance), EEOC No. 915.002, § V.C.1 (June 18, 1999)]	No	HCM and the Office of Civil Rights and EEO will work collaboratively on the development of this policy	New
C.2.a.1	Does the anti-harassment policy require corrective action to prevent or eliminate conduct before it rises to the level of unlawful harassment? [see EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.1]	N/A		New
C.2.a.2	Has the agency established a firewall between the Anti-Harassment Coordinator and the EEO Director? [see EEOC Report, Model EEO Program Must Have an Effective Anti-Harassment Program (2006)]	N/A		New
C.2.a.3	Does the agency have a separate procedure (outside the EEO complaint process) to address harassment allegations? [see Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors]	No	Harassment issues are assessed by the Office of Civil Rights and EEO, Employee Relations, and the Workplace Concerns programs. Additionally when appropriate,	New



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	(Enforcement Guidance), EEOC No. 915.002, § V.C.1 (June 18, 1999)]		corrective measures are implemented.	
C.2.a.4	Does the agency ensure that the EEO office informs the anti-harassment program of all EEO counseling activity alleging harassment? [see Enforcement Guidance, V.C.]	N/A		New
C.2.a.5	Does the agency conduct a prompt inquiry (beginning within 10 days of notification) of all harassment allegations, including those initially raised in the EEO complaint process? [see <u>Complainant v. Dep't of Veterans Affairs</u> , EEOC Appeal No. 0120123232 (May 21, 2015); <u>Complainant v. Dep't of Defense (Defense Commissary Agency)</u> , EEOC Appeal No. 0120130331 (May 29, 2015)] If "no", please provide the percentage of timely-processed inquiries in the comments column.	No	See comment C.2.a	New
C.2.a.6	Do the agency's training materials on its anti-harassment policy include examples of disability-based harassment? [see 29 CFR 1614.203(d)(2)]	N/A	See comment C.2.a	New
C.2.b	Has the agency established disability reasonable accommodation procedures that comply with EEOC's regulations and guidance? [see 29 CFR 1614.203(d)(3)]	No	RA is in the jurisdiction of HCM at BPA	New
C.2.b.1	Is there a designated agency official or other mechanism in place to coordinate or assist with processing requests for disability accommodations throughout the agency? [see 29 CFR 1614.203(d)(3)(D)]	Yes		E.1.d
C.2.b.2	Has the agency established a firewall between the Reasonable Accommodation Program Manager and the EEO Director? [see MD-110, Ch. 1(IV)(A)]	Yes		New
C.2.b.3	Does the agency ensure that job applicants can request and receive reasonable accommodations during the application and placement processes? [see 29 CFR 1614.203(d)(1)(ii)(B)]	Yes		New
C.2.b.4	Do the reasonable accommodation procedures clearly state that the agency should process the request within a maximum amount of time (e.g., 20 business days), as established by the agency in its affirmative action plan? [see 29 CFR 1614.203(d)(3)(i)(M)]	Yes	See RA website: https://internal.bud.bpa.gov/EmployeeCenter/WorkLife/Documents/RA/RA%20Process%20Without%20Stages%20FINAL-%20Website.pdf	New
C.2.b.5	Does the agency process all accommodation requests within the time frame set forth in its reasonable accommodation procedures? [see MD-715, II(C)] If "no", please provide the	Yes		E.1.e

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	percentage of timely-processed requests in the comments column.			
C.2.c	Has the agency established procedures for processing requests for personal assistance services that comply with EEOC's regulations, enforcement guidance, and other applicable executive orders, guidance, and standards? [see 29 CFR 1614.203(d)(6)]	Yes		New
C.2.c.1	Does the agency post its procedures for processing requests for Personal Assistance Services on its public website? [see 29 CFR § 1614.203(d)(5)(v)] If "yes", please provide the internet address in the comments column.	Yes	See RA website: https://internal.bud.bpa.gov/EmployeeCenter/WorkLife/Documents/RA/RA%20Process%20Steps%20-%20Written.pdf	New
 Compliance Indicator  Measures	C.3 - The agency evaluates managers and supervisors on their efforts to ensure equal employment opportunity.	Measure Met? (Yes/No/NA)	Comments New Indicator	
C.3.a	Pursuant to 29 CFR §1614.102(a)(5), do all managers and supervisors have an element in their performance appraisal that evaluates their commitment to agency EEO policies and principles and their participation in the EEO program?	No	While the Office of Civil Rights and EEO has suggested this, the actual implementation of requirements for performance measures are in DOE and BPA leadership's as well as DOE and BPA's HCM's jurisdiction	New
C.3.b	Does the agency require rating officials to evaluate the performance of managers and supervisors based on the following activities:			
C.3.b.1	Resolve EEO problems/disagreements/conflicts, including the participation in ADR proceedings? [see MD-110, Ch. 3.1]	No	While the Office of Civil Rights and EEO has suggested this, the actual implementation of requirements for performance measures are in DOE and BPA leadership's as well as DOE and BPA's HCM's jurisdiction	A.3.a.1
C.3.b.2	Ensure full cooperation of employees under his/her supervision with EEO officials, such as counselors and investigators? [see 29 CFR §1614.102(b)(6)]	No	While the Office of Civil Rights and EEO has suggested this, the actual implementation of requirements for	A.3.a.4



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			performance measures are in DOE and BPA leadership's as well as DOE and BPA's HCM's jurisdiction	
C.3.b.3	Ensure a workplace that is free from all forms of discrimination, including harassment and retaliation? [see MD-715, II(C)]	No	While the Office of Civil Rights and EEO has suggested this, the actual implementation of requirements for performance measures are in DOE and BPA leadership's as well as DOE and BPA's HCM's jurisdiction	A.3.a.5
C.3.b.4	Ensure that subordinate supervisors have effective managerial, communication, and interpersonal skills to supervise in a workplace with diverse employees? [see MD-715 Instructions, Sec. I]	No	While the Office of Civil Rights and EEO has suggested this, the actual implementation of requirements for performance measures are in DOE and BPA leadership's as well as DOE and BPA's HCM's jurisdiction	A.3.a.6
C.3.b.5	Provide religious accommodations when such accommodations do not cause an undue hardship? [see 29 CFR §1614.102(a)(7)]	No	While the Office of Civil Rights and EEO has suggested this, the actual implementation of requirements for performance measures are in DOE and BPA leadership's as well as DOE and BPA's HCM's jurisdiction	A.3.a.7
C.3.b.6	Provide disability accommodations when such accommodations do not cause an undue hardship? [see 29 CFR §1614.102(a)(8)]	No	While the Office of Civil Rights and EEO has suggested this, the actual implementation of requirements for performance measures are in DOE and BPA leadership's as well as DOE and BPA's HCM's jurisdiction	A.3.a.8
C.3.b.7	Support the EEO program in identifying and removing barriers to equal opportunity. [see MD-715, II(C)]	No	While the Office of Civil Rights and EEO has suggested this, the actual implementation of requirements for performance measures are in DOE and BPA leadership's as well as DOE and BPA's HCM's jurisdiction	New
C.3.b.8	Support the anti-harassment program in investigating and correcting harassing conduct. [see Enforcement Guidance, V.C.2]	No	While the Office of Civil Rights and EEO has suggested this, the actual implementation of requirements for performance measures are	A.3.a.2





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			in DOE and BPA leadership's as well as DOE and BPA's HCM's jurisdiction	
C.3.b.9	Comply with settlement agreements and orders issued by the agency, EEOC, and EEO-related cases from the Merit Systems Protection Board, labor arbitrators, and the Federal Labor Relations Authority? [see MD-715, II(C)]	No	While the Office of Civil Rights and EEO has suggested this, the actual implementation of requirements for performance measures are in DOE and BPA leadership's as well as DOE and BPA's HCM's jurisdiction	New
C.3.c	Does the EEO Director recommend to the agency head improvements or corrections, including remedial or disciplinary actions, for managers and supervisors who have failed in their EEO responsibilities? [see 29 CFR §1614.102(c)(2)]	Yes		New
C.3.d	When the EEO Director recommends remedial or disciplinary actions, are the recommendations regularly implemented by the agency? [see 29 CFR §1614.102(c)(2)]	Yes		New
 Compliance Indicator  Measures	C.4 – The agency ensures effective coordination between its EEO programs and Human Resources (HR) program.	Measure Met? (Yes/No/NA)	Comments	
C.4.a	Do the HR Director and the EEO Director meet regularly to assess whether personnel programs, policies, and procedures conform to EEOC laws, instructions, and management directives? [see 29 CFR §1614.102(a)(2)]	Yes		New
C.4.b	Has the agency established timetables/schedules to review at regular intervals its merit promotion program, employee recognition awards program, employee development/training programs, and management/personnel policies, procedures, and practices for systemic barriers that may be impeding full participation in the program by all EEO groups? [see MD-715 Instructions, Sec. I]	No	BPA EEO and HCM directors are working to reestablish such reviews	C.2.a, C.2.b, & C.2.c
C.4.c	Does the EEO office have timely access to accurate and complete data (e.g., demographic data for workforce, applicants, training programs, etc.) required to prepare the MD-715 workforce data tables? [see 29 CFR §1614.601(a)]	Yes		New
C.4.d	Does the HR office timely provide the EEO office have timely access to other	Yes		New



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	data (e.g., exit interview data, climate assessment surveys, and grievance data), upon request? [see MD-715, II(C)]			
C.4.e	Pursuant to Section II(C) of MD-715, does the EEO office collaborate with the HR office to:			
C.4.e.1	Implement the Affirmative Action Plan for Individuals with Disabilities? [see 29 CFR §1614.203(d); MD-715, II(C)]	Yes		New
C.4.e.2	Develop and/or conduct outreach and recruiting initiatives? [see MD-715, II(C)]	Yes		New
C.4.e.3	Develop and/or provide training for managers and employees? [see MD-715, II(C)]	No	Currently, BPA employees do not obtain training about the EEO complaints process. The required EEO trainings include No FEAR and Whistleblower Protection training	New
C.4.e.4	Identify and remove barriers to equal opportunity in the workplace? [see MD-715, II(C)]	Yes		New
C.4.e.5	Assist in preparing the MD-715 report? [see MD-715, II(C)]	Yes		New
 Compliance Indicator  Measures	C.5 – Following a finding of discrimination, the agency explores whether it should take a disciplinary action.	Measure Met? (Yes/No/NA)	Comments	
C.5.a	Does the agency have a disciplinary policy and/or table of penalties that covers discriminatory conduct? 29 CFR § 1614.102(a)(6); see also <u>Douglas v. Veterans Administration</u> , 5 MSPR 280 (1981)	Yes	Disciplinary policies and the table of penalties are in HCM's jurisdiction	C.3.a.
C.5.b	When appropriate, does the agency discipline or sanction managers and employees for discriminatory conduct? [see 29 CFR §1614.102(a)(6)] If "yes", please state the number of disciplined/sanctioned individuals during this reporting period in the comments.	Yes	To date, BPA has had no finding and no managers have been deemed to violate EEO laws are principles	C.3.c
C.5.c	If the agency has a finding of discrimination (or settles cases in which a finding was likely), does the agency inform managers and supervisors about the discriminatory conduct? [see MD-715, II(C)]	Yes		New
 Compliance Indicator  Measures	C.6 – The EEO office advises managers/supervisors on EEO matters.	Measure Met? (Yes/No/NA)	Comments	
C.6.a	Does the EEO office provide management/supervisory officials with regular EEO updates on at least an annual basis, including EEO complaints, workforce demographics and data	Yes	This occurs during annual All Managers meetings quarterly, All Employees' meetings, monthly Field	C.1.a







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	summaries, legal updates, barrier analysis plans, and special emphasis updates? [see MD-715 Instructions, Sec. I] If "yes", please identify the frequency of the EEO updates in the comments column.		visits and weekly EEO Director's Engagements	
C.6.b	Are EEO officials readily available to answer managers' and supervisors' questions or concerns? [see MD-715 Instructions, Sec. I]	Yes		New
<p style="text-align: center;">Essential Element D: PROACTIVE PREVENTION</p> <p style="text-align: center;">This element requires that the agency head make early efforts to prevent discrimination and to identify and eliminate barriers to equal employment opportunity.</p>				
 Compliance Indicator  Measures	D.1 – The agency conducts a reasonable assessment to monitor progress towards achieving equal employment opportunity throughout the year.	Measure Met? (Yes/No/NA)	Comments	
D.1.a	Does the agency have a process for identifying triggers in the workplace? [see MD-715 Instructions, Sec. I]	Yes		New
D.1.b	Does the agency regularly use the following sources of information for trigger identification: workforce data; complaint/grievance data; exit surveys; employee climate surveys; focus groups; affinity groups; union; program evaluations; special emphasis programs; reasonable accommodation program; anti-harassment program; and/or external special interest groups? [see MD-715 Instructions, Sec. I]	Yes		New
D.1.c	Does the agency conduct exit interviews or surveys that include questions on how the agency could improve the recruitment, hiring, inclusion, retention and advancement of individuals with disabilities? [see 29 CFR 1614.203(d)(1)(iii)(C)]	Yes		New



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 Compliance Indicator  Measures	D.2 – The agency identifies areas where barriers may exclude EEO groups (reasonable basis to act.)	Measure Met? (Yes/No/NA)	Comments New Indicator	
D.2.a	Does the agency have a process for analyzing the identified triggers to find possible barriers? [see MD-715, II)(B)]	Yes		New
D.2.b	Does the agency regularly examine the impact of management/personnel policies, procedures, and practices by race, national origin, sex, and disability? [see 29 CFR §1614.102(a)(3)]	Yes		B.2.c.2
D.2.c	Does the agency consider whether any group of employees or applicants might be negatively impacted prior to making human resource decisions, such as re-organizations and realignments? [see 29 CFR §1614.102(a)(3)]	Yes		B.2.c.1
D.2.d	Does the agency regularly review the following sources of information to find barriers: complaint/grievance data, exit surveys, employee climate surveys, focus groups, affinity groups, union, program evaluations, anti-harassment program, special emphasis programs, reasonable accommodation program; anti-harassment program; and/or external special interest groups? [see MD-715 Instructions, Sec. I] If “yes”, please identify the data sources in the comments column.	Yes		New
 Compliance Indicator  Measures	D.3 – The agency establishes appropriate action plans to remove identified barriers.	Measure Met? (Yes/No/NA)	Comments New Indicator	
D.3.a.	Does the agency effectively tailor action plans to address the identified barriers, in particular policies, procedures, or practices? [see 29 CFR §1614.102(a)(3)]	Yes		New
D.3.b	If the agency identified one or more barriers during the reporting period, did the agency implement a plan in Part I, including meeting the target dates for the planned activities? [see MD-715, II(D)]	Yes		New
D.3.c	Does the agency periodically review the effectiveness of the plans? [see MD-715, II(D)]	Yes		New
 Compliance Indicator  Measures	D.4 – The agency has an affirmative action plan for people with disabilities, including those with targeted disabilities	Measure Met? (Yes/No/NA)	Comments New Indicator	

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Measures				
D.4.a	Does the agency post its affirmative action plan on its public website? [see 29 CFR 1614.203(d)(4)] Please provide the internet address in the comments.	Yes	Information can be found at: https://www.bpa.gov/news/AboutUs/Pages/Civil-Rights-EEO.aspx	New
D.4.b	Does the agency take specific steps to ensure qualified people with disabilities are aware of and encouraged to apply for job vacancies? [see 29 CFR 1614.203(d)(1)(i)]	Yes		New
D.4.c	Does the agency ensure that disability-related questions from members of the public are answered promptly and correctly? [see 29 CFR 1614.203(d)(1)(ii)(A)]	Yes		New
D.4.d	Has the agency taken specific steps that are reasonably designed to increase the number of persons with disabilities or targeted disabilities employed at the agency until it meets the goals? [see 29 CFR 1614.203(d)(7)(ii)]	Yes		New
Essential Element E: EFFICIENCY This element requires the agency head to ensure that there are effective systems for evaluating the impact and effectiveness of the agency's EEO programs and an efficient and fair dispute resolution process.				
 Compliance Indicator	E.1 - The agency maintains an efficient, fair, and impartial complaint resolution process.	Measure Met? (Yes/No/NA)	Comments	
 Measures				
E.1.a	Does the agency timely provide EEO counseling, pursuant to 29 CFR §1614.105?	Yes		E.3.a.1
E.1.b	Does the agency provide written notification of rights and responsibilities in the EEO process during the initial counseling session, pursuant to 29 CFR §1614.105(b)(1)?	Yes		E.3.a.2
E.1.c	Does the agency issue acknowledgment letters immediately upon receipt of a formal complaint, pursuant to MD-110, Ch. 5(l)?	Yes		New
E.1.d	Does the agency issue acceptance letters/dismissal decisions within a reasonable time (e.g., 60 days) after receipt of the written EEO Counselor report, pursuant to MD-110, Ch. 5(l)? If so, please provide the average processing time in the comments.	Yes		New





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E.1.e	Does the agency ensure all employees fully cooperate with EEO counselors and EEO personnel in the EEO process, including granting routine access to personnel records related to an investigation, pursuant to 29 CFR §1614.102(b)(6)?	Yes		New
E.1.f	Does the agency timely complete investigations, pursuant to 29 CFR §1614.108?	Yes		E.3.a.3
E.1.g	If the agency does not timely complete investigations, does the agency notify complainants of the date by which the investigation will be completed and of their right to request a hearing or file a lawsuit, pursuant to 29 CFR §1614.108(g)?	Yes		New
E.1.h	When the complainant does not request a hearing, does the agency timely issue the final agency decision, pursuant to 29 CFR §1614.110(b)?	No	Final Agency Decisions (FADs) are written by the DOE Office of Civil Rights and EEO. The FADs are often not completed and issued within required timeframes. Additionally, when BPA utilizes a third-party FAD writer, the FADs are required to be reviewed by the Department of Energy Office of Civil Rights and EEO before issuance. This requirement also often results in untimeliness of BPA complaints processing	E.3.a.4
E.1.i	Does the agency timely issue final actions following receipt of the hearing file and the administrative judge's decision, pursuant to 29 CFR §1614.110(a)?	Yes		E.3.a.7
E.1.j	If the agency uses contractors to implement any stage of the EEO complaint process, does the agency hold them accountable for poor work product and/or delays? [See MD-110, Ch. 5(V)(A)] If "yes", please describe how in the comments column.	Yes	Contractors are held accountable for delay and EEO counseling and investigative services in accordance with 41 CFR 60-1.1. This is often not an issue	E.2.c
E.1.k	If the agency uses employees to implement any stage of the EEO complaint process, does the agency hold them accountable for poor work product and/or delays during performance review? [See MD-110, Ch. 5(V)(A)]	Yes		New
E.1.l	Does the agency submit complaint files and other documents in the proper format to EEOC through the Federal Sector EEO Portal (FedSEP)? [See 29 CFR § 1614.403(g)]	Yes		New

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 Compliance Indicator  Measures	E.2 – The agency has a neutral EEO process.		Comments Revised Indicator	
E.2.a	Has the agency established a clear separation between its EEO complaint program and its defensive function? [see MD-110, Ch. 1(IV)(D)]	Yes		New
E.2.b	When seeking legal sufficiency reviews, does the EEO office have access to sufficient legal resources separate from the agency representative? [see MD-110, Ch. 1(IV)(D)] If “yes”, please identify the source/location of the attorney who conducts the legal sufficiency review in the comments column.	Yes		E.6.a
E.2.c	If the EEO office relies on the agency’s defensive function to conduct the legal sufficiency review, is there a firewall between the reviewing attorney and the agency representative? [see MD-110, Ch. 1(IV)(D)]	Yes		New
E.2.d	Does the agency ensure that its agency representative does not intrude upon EEO counseling, investigations, and final agency decisions? [see MD-110, Ch. 1(IV)(D)]	Yes		E.6.b
E.2.e	If applicable, are processing time frames incorporated for the legal counsel’s sufficiency review for timely processing of complaints? EEOC Report, <i>Attaining a Model Agency Program: Efficiency</i> (Dec. 1, 2004)	Yes		E.6.c
 Compliance Indicator  Measures	E.3 - The agency has established and encouraged the widespread use of a fair alternative dispute resolution (ADR) program.	Measure Met? (Yes/No/NA)	Comments	
E.3.a	Has the agency established an ADR program for use during both the pre-complaint and formal complaint stages of the EEO process? [see 29 CFR §1614.102(b)(2)]	Yes		E.4.a
E.3.b	Does the agency require managers and supervisors to participate in ADR once it has been offered? [see MD-715, II(A)(1)]	Yes	Managers are required to participate in ADR when ADR is appropriate in accordance with MD-110 standards	E.4.c
E.3.c	Does the agency encourage all employees to use ADR, where ADR is appropriate? [see MD-110, Ch. 3(IV)(C)]	Yes		D.2.a
E.3.d	Does the agency ensure a management official with settlement authority is accessible during the dispute resolution process? [see MD-110, Ch. 3(III)(A)(9)]	Yes	While managers may have (monetary) settlement authority, they are not allowed to use their authority to settle disputes	New

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			in which they are directly involved	
E.3.e	Does the agency prohibit the responsible management official named in the dispute from having settlement authority? [see MD-110, Ch. 3(I)]	Yes		E.4.d
E.3.f	Does the agency annually evaluate the effectiveness of its ADR program? [see MD-110, Ch. 3(II)(D)]	Yes		New
 Compliance Indicator  Measures	E.4 – The agency has effective and accurate data collection systems in place to evaluate its EEO program.	Measure Met? (Yes/No/NA)	Comments	
E.4.a	Does the agency have systems in place to accurately collect, monitor, and analyze the following data:	Yes		
E.4.a.1	Complaint activity, including the issues and bases of the complaints, the aggrieved individuals/complainants, and the involved management official? [see MD-715, II(E)]	Yes		E.5.a
E.4.a.2	The race, national origin, sex, and disability status of agency employees? [see 29 CFR §1614.601(a)]	Yes		E.5.c
E.4.a.3	Recruitment activities? [see MD-715, II(E)]	Yes		E.5.f
E.4.a.4	External and internal applicant flow data concerning the applicants' race, national origin, sex, and disability status? [see MD-715, II(E)]	Yes		New
E.4.a.5	The processing of requests for reasonable accommodation? [29 CFR § 1614.203(d)(4)]	Yes		New
E.4.a.6	The processing of complaints for the anti-harassment program? [see EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (1999), § V.C.2]	No	The establishment of an adequate process is underway	New
E.4.b	Does the agency have a system in place to re-survey the workforce on a regular basis? [MD-715 Instructions, Sec. I]	Yes		New
 Compliance Indicator  Measures	E.5 – The agency identifies and disseminates significant trends and best practices in its EEO program.	Measure Met? (Yes/No/NA)	Comments	
E.5.a	Does the agency monitor trends in its EEO program to determine whether the agency is meeting its obligations under the statutes EEOC enforces? [see MD-	Yes		E.5.e



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	715, II(E)] If "yes", provide an example in the comments.			
E.5.b	Does the agency review other agencies' best practices and adopt them, where appropriate, to improve the effectiveness of its EEO program? [see MD-715, II(E)] If "yes", provide an example in the comments.	Yes		E.5.g
E.5.c	Does the agency compare its performance in the EEO process to other federal agencies of similar size? [see MD-715, II(E)]	Yes		E.3.a
Essential Element F: RESPONSIVENESS AND LEGAL COMPLIANCE This element requires federal agencies to comply with EEO statutes and EEOC regulations, policy guidance, and other written instructions.				
 Compliance Indicator  Measures	F.1 – The agency has processes in place to ensure timely and full compliance with EEOC Orders and settlement agreements.	Measure Met? (Yes/No/NA)	Comments	
F.1.a	Does the agency have a system of management controls to ensure that its officials timely comply with EEOC orders/directives and final agency actions? [see 29 CFR §1614.102(e); MD-715, II(F)]	Yes		F.1.a
F.1.b	The agency has a system of management controls to ensure the timely, accurate, and complete compliance with resolutions/settlement agreements? [see MD-715, II(F)]	Yes		E.3.a.6
F.1.c	Are there procedures in place to ensure the timely and predictable processing of ordered monetary relief? [see MD-715, II(F)]	Yes		F.2.a.1
F.1.d	Are procedures in place to process other forms of ordered relief promptly? [see MD-715, II(F)]	Yes		F.2.a.2
F.1.e	When EEOC issues an order requiring compliance by the agency, does the agency hold its compliance officer(s) accountable for poor work product and/or delays during performance review? [see MD-110, Ch. 9(IX)(H)]	Yes		F.3.a.
 Compliance Indicator  Measures	F.2 – The agency complies with the law, including EEOC regulations, management directives, orders, and other written instructions.	Measure Met? (Yes/No/NA)	Comments Indicator moved from E-III Revised	

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F.2.a	Does the agency timely respond and fully comply with EEOC orders? [see 29 CFR §1614.502; MD-715, II(E)]	Yes		C.3.d
F.2.a.1	When a complainant requests a hearing, does the agency timely forward the investigative file to the appropriate EEOC hearing office? [see 29 CFR §1614.108(g)]	Yes		E.3.a.5
F.2.a.2	When there is a finding of discrimination that is not the subject of an appeal by the agency, does the agency ensure timely compliance with the orders of relief? [see 29 CFR §1614.501]	Yes		E.3.a.7
F.2.a.3	When a complainant files an appeal, does the agency timely forward the investigative file to EEOC's Office of Federal Operations? [see 29 CFR §1614.403(e)]	Yes		New
F.2.a.4	Pursuant to 29 CFR §1614.502, does the agency promptly provide EEOC with the required documentation for completing compliance?	Yes		F.3.d (1 to 9)
 Compliance Indicator  Measures	F.3 - The agency reports to EEOC its program efforts and accomplishments.	Measure Met? (Yes/No/NA)	Comments	
F.3.a	Does the agency timely submit to EEOC an accurate and complete No FEAR Act report? [Public Law 107-174 (May 15, 2002), §203(a)]	Yes		New
F.3.b	Does the agency timely post on its public webpage its quarterly No FEAR Act data? [see 29 CFR §1614.703(d)]	Yes		New

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MD-715 – Part H

Agency EEO Plan to Attain the Essential Elements of a Model EEO Program

Please describe the status of each plan that the agency has implemented to correct deficiencies in the EEO program.

☐ If the agency did not address any deficiencies during the reporting period, please check the box.

Statement of Model Program Essential Element Deficiency

Type of Program Deficiency	Brief Description of Program Deficiency
Essential Element A: Demonstrated Commitment from Agency Leadership	Per MD-715 standards, Agency heads must issue a written policy statement expressing their commitment to equal employment opportunity (EEO) and a workplace free of discriminatory harassment. This statement should be issued at the beginning of their tenure and thereafter on an annual basis and disseminated to all employees. In addition, Agency heads and other senior management officials may, at their discretion, issue similar statements when important issues relating to equal employment opportunity arise within their agency or when important developments in the law occur. Currently, the Agency head does not issue a written policy expressing commitment to EEO and a workplace free of discriminatory harassment.
Essential Element B: Integration of EEO into the Agency's Strategic Mission	The EEO office must attract, develop and retain more EEO staff with the strategic competencies necessary to accomplish the agency's EEO mission, and interface with agency officials, managers and employees more frequently. The Office of Civil Rights and EEO is not adequately staffed for its current workload and desired results.
Essential Element C: Management and Program Accountability	The EEO office must support and ensure clearly defined, well-communicated, consistently applied and fairly implemented personnel policies, selection and promotion procedures, evaluation procedures, rules of conduct and training systems. Clearly written policies and procedures regarding EEO are needed to ensure program compliance and communicate expectations relative to workplace interactions. The current population of BPA racially diverse employees is not consistent with the National Civilian Labor Force benchmark. The organization acknowledges two minority group underrepresented are Black/African American (BPA=3.5% NCLF=12%) and Hispanic/Latino (BPA=4% NCLF 16.5).
Essential Element D: Proactive Prevention	Agencies have an ongoing obligation to prevent discrimination on the bases of race, color, national origin, religion, sex, age, reprisal and disability, and eliminate barriers that impede free and open competition in the workplace. As part of this on-going obligation, agencies must conduct a self-assessment on at least an annual basis to monitor progress, identify areas where barriers may operate to exclude certain groups and develop strategic plans to eliminate identified barriers. A more detailed explanation of this process follows at Part A (Title VII) and Part B (Rehabilitation Act) of this Directive. There is a need to increase Office of Civil Rights and EEO field visits to ensure uniformity and consistency in employee engagement regarding Civil Rights and EEO, as well as to ensure the implementation of EEO Program standards.
Essential Element E: Efficiency	The Agency has an obligation to establish and encourage the widespread use of a fair alternative dispute resolution (ADR) program that facilitates the early, effective and efficient informal resolution of disputes. Appoint a senior official as the dispute resolution specialist of the agency charged with implementing a program to provide significant opportunities for ADR

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Type of Program Deficiency	Brief Description of Program Deficiency
	for the full range of employment-related disputes. Whenever ADR is offered in a particular workplace matter, ensure that managers at all appropriate levels will participate in the ADR process. Managers had not in previous times been required to participate in ADR and lack knowledge of the benefits of ADR and the appropriate use of ADR resources. Additionally, the organization must re-establish its in-house ADR resources and staff, and rely on DOE ADR resources as supplemental support.
Essential Element F: Responsiveness and Legal Compliance	The Agency ensures that it is in full compliance with the law, including EEOC regulations, orders and other written directives. While EEO complaints are processed in a timely fashion from intake to the formal investigation, final agency decisions (FADs) are sometimes written by DOE staff. Other times they are written by third-party BPA contractors, but in those instances the FAD must undergo DOE's review process prior to issuance. Generating, reviewing and issuing a FAD within BPA's EEO complaints process is within the jurisdiction of DOE. As a result of this jurisdictional arrangement defined by DOE, BPA Final Agency Decisions (FADs) are untimely.

Objective(s) and Dates for EEO Plan

Date Initiated	Objective	Target Date	Modified Date	Date Completed
January 28, 2019	Essential Element A: Clearly written EEO policy statements will be drafted and ready for the Agency head to review on the 14th of December each calendar year.	January 31, 2021	September 30, 2018	
January 28, 2019	Essential Element B: The EEO Director will work with management in an effort to secure funding to increase EEO staff consistent with program scope.	January 31, 2021		
January 28, 2019	Essential Element C: The EEO and HCM Directors will collaborate to draft Anti-Harassment Policy and Processes consistent with DOE policy and processes.	January 31, 2021		
January 28, 2019	Essential Element D: The EEO Director and staff will establish and implement field visits in an effort to interface with the workforce.	Ongoing		
January 28, 2019	Essential Element E: Through education and ongoing engagement, ensure managers are aware of their obligation to participate in ADR when appropriate and/or requested by aggrieved individuals/complainants, whether resolving issues within or outside of the EEO process.	Ongoing		
January 28, 2019	Essential Element F: The EEO Director works with BPA's Formal Complaints program manager and the DOE EEO Director in an effort to ensure that FADs	January 31, 2021		

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Date Initiated	Objective	Target Date	Modified Date	Date Completed
	are reviewed, approved and resubmitted for issue in a timely manner compliant with EEOC EEO Program management standards, rules, regulations and other orders.			

Responsible Official(s)

Title	Name	Performance Standards Address the Plan? (Yes or No)
Director Civil Rights and Equal Employment Opportunity	Toya L. Bligen	Yes
EEO Specialist- Informal Complaints	Angela L. Dowling	Yes
EEO Specialist- Formal Complaints	Lidia R. Somilleda	Yes
EEO Specialist-Title VI and IX	Mark A. Holman	Yes

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Planned Activities Toward Completion of Objective

Target Date	Planned Activities	Sufficient Funding & Staffing? (Yes or No)	Modified Date	Completion Date
January 31, 2021	Essential Element A: Produce an annual EEO policy signed by the Agency head and distributed to all employees.	Yes		
January 31, 2020	Essential Element B: Increase staffing levels consistent with program scope.	Yes		
January 31, 2021	Essential Element C: Draft and implement an Anti-harassment policy and process consistent with EEOC standards and DOE practices.	Yes		
January 31, 2021	Essential Element D: Conduct monthly field visits in an effort to interface with the workforce on the proactive prevention of illegal discrimination.	Yes		
January 31, 2021	Essential Element E: Ensure managers are aware of their obligation to participate in ADR when appropriate and requested by aggrieved individuals/complainants, whether resolving conflicts within or outside of the EEO process.	Yes		
January 31, 2021	Essential Element F: Work with the Department of Energy to ensure that Final Agency Decisions are timely processed.	Yes		

Report of Accomplishments

Fiscal Year	Accomplishments
2018	BPA's Formal Complaint Manager tracks and monitors all EEOC Orders and completes them within the established timeframes.
2018	BPA's Informal Complaint Manager tracks and monitors all EEOC Orders and completes them within the established timeframes.
2018	The U.S. Department of Energy Civil Rights Office is responsible for issuing the Final Agency Decisions; however these are also tracked by BPA's Formal Complaint Manager to ensure they are timely completed.

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MD-715 – Part I

Agency EEO Plan to Eliminate Identified Barrier

Please describe the status of each plan that the agency implemented to identify possible barriers in policies, procedures, or practices for employees and applicants by race, ethnicity, and gender.

☐ If the agency did not conduct barrier analysis during the reporting period, please check the box.

Statement of Condition That Was a Trigger for a Potential Barrier:

Source Of The Trigger	Specific Workforce Data Table	Narrative Description of Trigger
Trigger 1: Low minority participation rates within BPA's overall workforce	A1/B1	Internal demographics data reports of workflow overall populations note the existence of low minority participation rates. *Minority = (White females and non-white males and females)
Trigger 2: Low minority and minority female participation in BPA's critical occupational series	A6/B6 (HRMIS data)	Focusing only on female participation within BPA, minority (white females and non-white males and females) participation rate is about 20%. The participation rate is significantly less when compared to the females in each ethnic group to the participation of the entire population in those occupations. Total participation is only 4% while each individual ethnic group's participation is even lower. Focusing only on male participation within BPA, the minority (excluding Asian males and females) participation rate is about 15%. The participation rate is less when compared to males in each ethnic group to the participation of the entire population in those occupations. Total participation is only 11%. *Minority = (Non-Asian males and females and non-white male and females)
Trigger 3: Formal Complaints of Discrimination citing discrimination based on disability are high	B1	31% of all Formal Complaints of Discrimination are based on disability, but only 10% of the permanent workforce is disabled.
Trigger 4: Lack of competencies in the principles of diversity and inclusion, as well as equal employment opportunity	N/A	A large segment of the workforce demonstrate a lack of competencies in the principles of diversity and inclusion, as well as equal employment opportunity as evidenced by data such as: EEO complaints; Workforce Concerns Hotline calls; D&I training evaluations; FEVS; exit interviews; and other work environment assessments and data.

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EEO Group(s) Affected by Trigger

EEO Group
All Males
All Females
Hispanic Males
Hispanic Females
White Males
White Females
Black Males
Black Females
Asian Males
Asian Females
Native Hawaiian or Other Pacific Islander Males
Native Hawaiian or Other Pacific Islander Females
American Indian or Alaska Native Males
American Indian or Alaska Native Females
Two or More Races Males
Two or More Races Females

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Barrier Analysis Process

Sources of Data	Source Reviewed? (Yes or No)	Identify Information Collected
Review and analysis of equal employment opportunity data such as: EEO complaints; Workforce Concerns Hotline calls; Office of Diversity and Inclusion training evaluations; Federal Employee Viewpoint Surveys (FEVS); exit interviews; and other work environment assessments and data; 2018/2019 Workforce Plan	Yes	A review of recent workforce demographics data provided insights into the identified trigger. The BPPER024_Summary HRMIS report, which stems from voluntary demographics data collected from the HRSC, helped to identify the number of applicants who identified as minorities. This data was then compared to the data obtained from the Accessions HRMIS report, which contains the voluntary demographics data collected from individuals who on-boarded during the period October 2017 thru September 2018.
Formal Complaints of Discrimination Data (Trends)	Yes	A review of the informal and formal complaints of discrimination, as a well as the most commonly elected illegal discriminatory bases of the most common and issues raised as a matter of concern for employees.
Grievance Data (Trends)	No	NA
Findings from Decisions (e.g., EEO, Grievance, MSPB, Anti-Harassment Processes)	No	NA
Climate Assessment Survey (e.g., FEVS)	Yes	The FEVS compiled results were viewed and provided employee perceptions of their work experiences, the agency, and BPA leadership. The FEVS provided managers data about where improvements within their work units were necessary or already attained.
Exit Interview Data	Yes	BPA has recently assigned a specialist to analyze Exit Interviews. Past data is being analyzed. Moving forward, we hope to increase participation rate and be able to analyze data in real time.
Focus Groups	No	NA
Interviews	No	NA
Reports (e.g., Congress, EEOC, MSPB, GAO, OPM)	No	NA
Other (Please Describe)	Yes	The Office of Civil Rights and EEO and the Office of Diversity and Inclusion conducted a barrier analysis of the overall Agency. The teams then identified various matters each entity addressed that impacted the work environment and discussed triggers and barriers addressed by each workgroup throughout the year.
Other (Please Describe)	Yes	Human Resources Management Information System (HRMIS) was utilized. It contains demographic information specific to BPA employees.

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Status of Barrier Analysis Process

Barrier Analysis Process Completed? (Yes or No)	Barrier(s) Identified? (Yes or No)
Yes	Yes

Statement of Identified Barrier(s)

Description of Policy, Procedure, or Practice
<u>Barrier 1:</u> Data shows that minorities are not hired at a rate consistent with the rate at which they apply for jobs. These inconsistencies call to question whether there is a hiring bias.
<u>Barrier 2:</u> Inclusion rates for minorities in BPA's mission critical occupations are not congruent with their overall representation in the workforce at large or the NCLF; this result calls to question institutional and/or attitudinal barriers that exist about the abilities and interests of these demographics to conduct mission essential work.
<u>Barrier 3:</u> While PWD comprise 10% of the workforce, 31% of the EEO cases cite a disability as the basis.
<u>Barrier 4:</u> A large segment of the workforce demonstrate a lack of competencies in the principles of diversity and inclusion, as well as equal employment opportunity as evidenced by data such as: EEO complaints; Workforce Concerns Hotline calls; D&I training evaluations; FEVS; exit interviews; and other work environment assessments and data.

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Objective(s) and Dates for EEO Plan

Objective	Date Initiated	Target Date	Sufficient Funding & Staffing?	Modified Date	Date Completed
Trigger 1 and Barrier 1: While the Agency's hiring practices and policies are consistent with Office of Personnel Management (OPM) standards, the Agency will continue to implement OPM hiring practices and policies, as well as the principles of EEO, diversity and inclusion to ensure the referral of all qualified minority applicants and ensure selecting officials obtain information to bring awareness to hiring biases in an effort to bring congruency to minority applicant and their selection rates.	December 19, 2018	September 30, 2023	Yes		
Trigger 2 and Barrier 2: Conduct more targeted outreach in an effort to increase inclusion rates of minorities in BPA's critical occupational series in a manner that brings parity when compared to their representation in the workforce as well as against National Civilian Labor Force (NCLF) data.	December 19, 2018	September 30, 2023	Yes		
Trigger 3 and Barrier 3: The Office of Civil Rights and EEO Disability Employment Program Manager (DEPM) will collaborate with the Local Reasonable Accommodation Coordinator to educate the workforce throughout the year. They will coordinate 6 activities annually to provide education and enlightenment relative to People with Disabilities.	December 19, 2018	September 30, 2023	Yes		
Trigger 4 and Barrier 4: The workforce is cognizant of and able to interact in ways devoid of personal/professional biases and supports, as well as	December 19, 2018	September 30, 2023	Yes		

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Objective	Date Initiated	Target Date	Sufficient Funding & Staffing?	Modified Date	Date Completed
demonstrates equality, respect and dignity through proactive engagement, education and training.					

Responsible Official(s)

Title	Name	Performance Standards Address the Plan? (Yes or No)
Human Resources Services Center's Talent Acquisition and selecting officials	Colleen Fields (Acting)	Yes
Human Resources Officer; Director Civil Rights & EEO	Brian Carter, Toya L. Bligen	Yes
Human Resources Officer; Talent Acquisition Manager; Recruitment and Staffing; Strategic Business Partners; and BPA Hiring Officials.	Brian Carter, Collen Fields, et al	Yes
BPA's CR/EEO Outreach Coordinator, Director CR/EEO, Director D&I Officer, Human Resources Services Center (HRSC) Director	Mark Holman, Toya L. Bligen, Maria Mondragon-Almy, Brian Carter	Yes

Planned Activities Toward Completion of Objective

Target Date	Planned Activities	Modified Date	Completion Date
1) 10/01/2020	<u>Trigger 1 and Barrier 1:</u> 1) Implement Unconscious Bias (UB) in Hiring Training for managers and go through official channels to implement UB training is part of managers' performance plans. 2) Offer additional UB in Hiring Training to workforce. Implement first "rollout" January 2020 at BPA All Managers' meeting. 3) Ensure that UB in Hiring training is incorporated into the various mandatory training for managers (for example the New Supervisor's Training, Hiring Authorities etc.) 4) Work with HCM to design and develop blind interview process.		
2) 10/01/2020			
3) 6/30/2019			
4) 10/01/2020			

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Target Date	Planned Activities	Modified Date	Completion Date
1) 9/30/2023 2) 09/30/2023 3) 09/30/2023 4) 09/30/2023 5) 09/30/2023	<p><u>Trigger 2 and Barrier 2:</u></p> <ol style="list-style-type: none"> 1) Conduct a review of outreach and recruitment plans and ensure more targeted approach to females and minorities. 2) Provide selecting officials training and development relative to UB suite in an effort to increase competencies around cultural differences. 3) Educate managers in an effort to ensure awareness of various hiring options and authorities that are available as a source to onboard hires efficiently. 4) Work with HCM and managers to review positions that are appropriate for developmental grades. 5) Discuss and review Agency detail opportunities in an effort to ensure that details are well-advertised, that females and minorities are more included in the sharing of information through Employee Resource Groups and other sources, and to ensure that promotional details are made more available to the entire workforce for fair competition and equal employment opportunity. 		
1) 09/30/2023 2) 09/30/2023 3) 09/30/2023 4) 09/30/2023 5) 09/30/2023	<p><u>Trigger 3 and Barrier 3:</u></p> <ol style="list-style-type: none"> 1) CR/EEO monthly workforce engagements: Each month a specialist engages the workforce with a CR/EEO related topic and hosts a coordinating activity to provide education and enlightenment relative to the topic. 2) Improve career development opportunities for persons with targeted disabilities (PWTD) through assistive technology training to reduce barriers to provide equal opportunity and equal access to employment, empowering PWTD to do the job. 3) Conduct focus groups with employees with targeted disabilities to discuss recruitment, hiring and career growth experiences within the agency in an effort to better forge plans to increase employment opportunities and improve/maintain and positive work experience for PWTD. 		

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Target Date	Planned Activities	Modified Date	Completion Date
6) 09/30/2023 7) 09/30/2023	4) Evaluate the career advancement opportunities for employees with targeted disabilities within mission critical occupations. 5) Review all occupations and identify series having occupational requirements that may preclude employment of PWTD; create Bona fide Occupational Qualifiers (BFOQ) listing. 6) Conduct climate assessment (surveys) to obtain feedback from the workforce. 7) Meet with disability organizations and universities' Disabled Student Services offices to explore the perceptions of the agency within the disability community.		
1) 09/30/2019 2) 09/30/2021 3) 09/30/2023 4) 09/30/2020 5) 09/30/2023 6) 09/30/2023 7) 09/30/2023 8) 09/30/2023 9) 09/30/2022	<p><u>Trigger 4 and Barrier 4:</u></p> 1) Office of Civil Rights and EEO will host monthly workforce engagements: Each month the office highlights and CR/EEO program, function or topic and a specialist engages the workforce regarding the selected topic and hosts a coordinating activity to provide education and enlightenment. 2) BPA will reestablish the Special Emphasis Program (SEPs) and recruit SEP Managers in an effort to increase cultural awareness, provide support to and channels of outreach and networking for conspicuously underrepresented groups. 3) The Office of Diversity and Inclusion will continue to offer diversity training classes in HQ and the field, in a variety of subjects in an effort to improve the workforce's competencies in the principles of diversity and inclusion. 4) HCM will offer training and awareness about hiring authority in an effort to bring awareness to managers about the benefits and availability of special authorities to hire People with Disabilities. 5) The Office of Diversity and Inclusion has implemented and leads BPA's Respect and Dignity campaign offered in an effort to increase awareness about positive professional behaviors and create a safe, positive and inclusive environment where people are valued and enabled to deliver results.		

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Target Date	Planned Activities	Modified Date	Completion Date
10) 09/30/2019	<ul style="list-style-type: none"> 6) The Civil Rights Director engages the workforce with CR/EEO related topics in an effort to provide education and enlightenment on various CR/EEO topics and general civil treatment. 7) The Office of Civil Rights and EEO will provides new employees information about CR/EEO during bi-weekly New Employee Orientations to ensure new employees are made aware of their rights immediately upon starting their jobs and to ensure live contact with new employees for a personable touch. 8) The Office of Diversity and Inclusion will conduct additional training sessions targeting supervisors in an effort to increase supervisory competencies in the principles of diversity and inclusion. 9) The Office of Diversity and Inclusion will conduct a Climate Assessment to gauge employee satisfaction, employees' perception of leadership effectiveness and employees' overall job satisfaction. The information will be shared with management to continuously improve the work environment. 10) HCM will provide anti-bullying training to improve the workforce's competencies in respecting others and ensuring that the agency is a safe environment where people could work devoid of fear. 		

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Report of Accomplishments

Fiscal Year	Accomplishments
2018	<p>I. 2017- Trigger 1: BPA identified that Persons with Disabilities permanent workforce participation rate was decreasing and below the federal workforce goal of 12%.</p> <p>a. Accomplishment: BPA encouraged its management to work towards a diverse workforce that mirrors the community that it serves and the civilian labor force through the following activities:</p> <ul style="list-style-type: none"> i. BPA hired a new Reasonable Accommodations (RA) Coordinator, provided education and awareness to the workforce regarding RAs, ensures the workforce obtains resources to assist with requesting and obtaining information regarding RAs and revamped the RA website to make it more user-friendly. ii. The Diversity and Inclusion office provided the following courses: <ul style="list-style-type: none"> ▪ 2 sessions – Working with People with Disabilities ▪ 1 session – Disability and Ability Awareness <p>II. 2017 -Trigger 2: BPA identified that there are two EEO Groups, American Indian or Alaska Natives and Hispanic/Latino Females that are under-represented among new hires for major (mission critical) occupations.</p> <p>a. Accomplishment: BPA strengthened its recruitment efforts locally, through community partnerships, outreach efforts, apprentice and Pathways Programs and other organizations involved with the hiring and placement of females.</p> <ul style="list-style-type: none"> i. BPA Advertised in the Women in Trades Publication. ii. BPA co-sponsored a Women in Trades event - had a career booth and demonstration booths. <p>b. BPA hosted the middle school and high school Regional Science Bowls; both of these events are major multicultural youth STEM outreach efforts.</p> <p>III. 2017- Trigger 3: BPA identified that minority groups are underrepresented among applicants for major (mission critical) occupation when compared to their availability in the occupational CLF.</p> <p>a. Accomplishments: BPA set up an information tables and display booths at the following career fairs, increasing outreach and recruitment to get more underrepresented applicants in the pipeline:</p> <ul style="list-style-type: none"> i. INCIGHT Job Fair: INCIGHT (a hybrid of the two words insightful and incite) promotes inclusion in the workplace and partners with businesses and the community to connect skilled and talented candidates with employers that are interested in diversifying their workforce. ii. Attended the WorkSource career fair. Workforce partners with the Armed Forces Reserve Center to host a career fair event for Veterans. iii. 2018 NW Youth Careers Expo: The annual NW Youth Careers Expo is the Northwest's premier career-education event. In 2018, more than 7,000 students from about 70 high schools across Oregon and Southwest Washington were in attendance, as well as 190+ exhibitors representing the states' leading employers. The Expo showed students the region's amazing diversity of career opportunities, along with the skills and education needed for those jobs. iv. Portland Workforce Alliance: Talked to High School students about BPA and the careers that we have available. v. Presented to youth at Reynolds Middle School about BPA and careers at BPA.

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	<ul style="list-style-type: none">vi. 2018 Career Connections Job Fair hosted by the Urban League of Portland for youth and adults.vii. Gay Lesbian Straight Educational Network (GLSEN) Oregon Youth Leadership Forum hosted by Intel IGLOBE: The goals for the event included providing a safe space for students to network and connect with other GSAs/QSAs, developing leadership skills, showing real-life examples of out LGBTQ+ individuals in the workplace, connecting students with local resources, sparking interest in Science and Math (STEM) and demonstrating commitment to both diversity and building local site communities.viii. Portland LGBTQ Pride Festival: Founded in 1994, the mission is to encourage and celebrate the positive diversity of the lesbian, gay, bisexual, transexual and queer communities, and to assist in the education of all people through the development of activities that showcase the history, accomplishments, and talents of these communities. <p>IV. <u>2017 -Trigger 4:</u> BPA identified that the percentage of African-American males was steadily decreasing in the agency's permanent workforce.</p> <p>a. <u>Accomplishments:</u> BPA continued partnering with websites that target diverse populations in order to expand awareness of the its brand through the following organizations:</p> <ul style="list-style-type: none">i. American Association of Blacks in Energyii. National Association of African Americans in Human Resourcesiii. University of Oregon Office of Career Services
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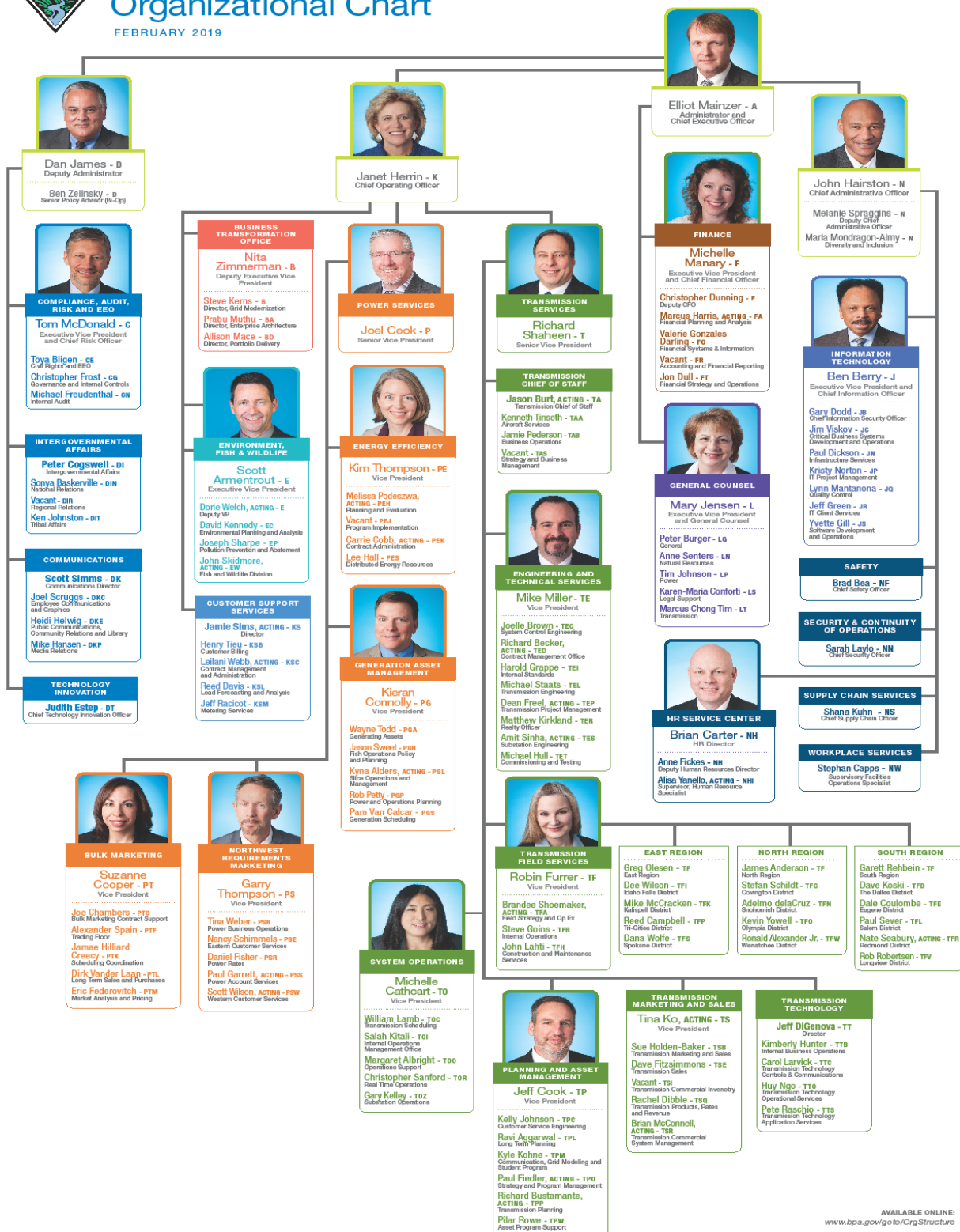
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Additional Supporting Documents for Submission

Submitted	Document
Yes	1. Organizational Chart
Yes	2. EEO Policy Statement
Yes	3. Strategic Plan
Yes	4. Anti-Harassment Policy and Procedures
Yes	5. Reasonable Accommodation Procedures
No	6. Personal Assistance Services Procedures
Yes	7. Alternative Dispute Resolution Procedures
Yes	8. Federal Equal Opportunity Recruitment Program (FEORP) Report
Yes	9. Disabled Veterans Affirmative Action Program (DVAAP) Report
No	10. Operational Plan for Increasing Employment of Individuals with Disabilities under Executive Order 13548
Yes	11. Diversity and Inclusion Plan under Executive Order 13583
Yes	12. Diversity Policy Statement
Yes	13. Human Capital Strategic Plan
No	14. EEO Strategic Plan
Yes	15. Results from most recent Federal Employee Viewpoint Survey or Annual Employee Survey

Organizational Chart

FEBRUARY 2019



AVAILABLE ONLINE:
www.bpa.gov/goto/OrgStructure

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DOE F 1325.8e Electronic Form Approved by Forms Mgmt. 04/26/2012
(08-89)

United States Government

Department of Energy
Bonneville Power Administration

memorandum

DATE: FEB 05 2018

REPLY TO
ATTN OF: CE-1

SUBJECT: 2018 Equal Employment Opportunity (EEO), Harassment and Retaliation Policy

TO: All BPA Employees

Valuing our people is central to BPA's Culture. I am reissuing this memo to serve as a reminder of our commitment to promote a safe, positive and inclusive workplace that is free from any and all forms of discrimination, harassment (sexual and non-sexual) and retaliation.

Adherence to the principles of equal opportunity creates a positive work environment where all employees can reach their full potential. These principles are essential to being a model organization that promotes operational excellence.

The federal EEO process is governed by the regulations, management directives and case law of the Equal Employment Opportunity Commission as well as applicable federal law. Although we are a part of the Department of Energy, I am required by EEOC to annually issue an independent EEO policy statement.

BPA does not condone discrimination, harassment or retaliation (reprisal) based on race, color, religion, sex, (including sexual harassment, pregnancy and gender identity), sexual orientation, national origin, age (40 years of age and over), protected genetic information, status as a parent, marital status, veteran's preference, or disability (physical and mental), including the provision of reasonable accommodation for qualified applicants and employees with disabilities.

Retaliation against those who initiate discrimination complaints, serve as witnesses, or otherwise oppose discrimination and harassment is strictly prohibited. These protections encompass all management practices and decisions, including recruitment and hiring practices, appraisal systems, promotions, recognition, training and career development programs. We seek to resolve workplace conflicts in a prompt, impartial, confidential, nondiscriminatory and constructive manner, without fear of reprisal. We encourage all BPA employees to use the informal EEO counseling process, and/or the Alternative Dispute Resolution Program as a valuable tool in resolving disputes. You must contact an EEO counselor within 45 calendar days of the incident that causes you to believe discrimination occurred.

As a federal entity, BPA is stronger, more credible, and more effective when our workforce reflects the experience, judgment, and energy from individuals from diverse backgrounds. We have an affirmative responsibility to comply with all laws, regulations, and Executive Orders which promote EEO, diversity and inclusion. All managers and supervisors are encouraged to

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increase the participation of underrepresented groups through effective outreach and recruitment. Affirmative employment is an integral part of our diversity goals, and managers and supervisors are accountable for our success. We need a fully engaged workforce to meet our stakeholder and constituent expectations.

Every employee is responsible for acting professionally and not participating in discriminatory or harassing behaviors that offend, intimidate or unreasonably interfere with the work performance of others. If you believe you have been harassed or observed such conduct, you should report the matter to anyone in your chain of supervision and/or to the EEO office. All managers and supervisors are responsible and accountable for acting promptly to prevent, document, correct and eliminate discrimination and harassment. Managers and supervisors who have knowledge of an act of possible discrimination, harassment or retaliation should contact the EEO office, or Human Resources, or the office of the Ombudsman for guidance.

Additional information regarding discrimination, harassment and retaliation is available on the [Civil Rights and EEO](#) website, and BPA Manual Chapter 0400/713C contains BPA's Equal Employment Opportunity and Non-Discrimination Policy. Contact the BPA Civil Rights and EEO Office for other assistance as needed.

Creating and maintaining an environment free from discrimination, harassment and retaliation will help us attract, develop and retain outstanding employees, while motivating and inspiring employee engagement and loyalty. Thank you in advance for your efforts as we work together to ensure equal opportunity at BPA.



Elliot E. Mainzer
Administrator and Chief Executive Officer

Attachment:

Equal Employment Opportunity, Harassment, and Retaliation Policy memorandum from Secretary of Energy, Rick Perry, December 27, 2017

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**To view BPA's Strategic Plan in its entirety: Right Click the icon below,
Select Acrobat Document Object and Select Open**

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Delivering on our public responsibilities through a commercially successful business



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FEDERAL AGENCY ANNUAL EEO PROGRAM STATUS REPORT



The Secretary of Energy
Washington, DC 20585
December 27, 2017

MEMORANDUM FOR ALL DEPARTMENT OF ENERGY EMPLOYEES

FROM: RICK PERRY *Rick Perry*

SUBJECT: Policy Statement on Equal Employment Opportunity,
Harassment, and Retaliation

Our success in ensuring the Nation's security and prosperity through transformative science and technology solutions draws upon the contributions of every Department of Energy (Department) employee on a daily basis. Equal employment opportunity (EEO) is not only the law, but a fundamentally sound business practice that helps us to achieve our mission to address energy, environmental, and nuclear challenges on behalf of the American people.

As Secretary, I am personally committed to ensuring that the Department maintains a workplace free from discrimination and harassment (sexual and non-sexual), and retaliation. This policy statement serves to remind all employees and applicants for employment of their rights and responsibilities under the law, and provides information on how you can seek assistance if you believe that you have experienced employment discrimination or harassment.

First, no applicant or employee will be subjected to discrimination in any aspect of employment on the basis of race, color, sex (including pregnancy, gender identity, and sexual orientation), religion, national origin, age, disability (physical or mental), genetic information, or retaliation for participation in protected EEO activity. Employment-related decisions must be based on merit, and not on discriminatory factors.

Second, no applicant or employee will be subjected to harassment (sexual or non-sexual). Non-sexual harassment is any unwelcome conduct (verbal, written, or physical) based on discrimination that: (1) has the purpose or effect of unreasonably interfering with an employee's work performance; (2) creates an intimidating, hostile, or offensive work environment; or (3) affects an employee's employment opportunities or compensation. Sexual harassment is any unwelcome behavior of a sexual nature. This includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, physical conduct of a sexual nature, or other similar behavior. Sexual harassment is not limited to prohibited conduct by a male employee toward a female employee. Similarly, sexual harassment is not limited to the actions of a supervisory employee toward a nonsupervisory employee. For example, the harasser may be an agent of the employer, a supervisory employee who does not supervise the victim, a coworker, or a non-employee.



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Employees are encouraged to promptly report discrimination or harassment to any management official or directly to their EEO office. Headquarters employees or applicants for employment may file an EEO complaint regarding discrimination or harassment through the Department's Office of Civil Rights and Equal Opportunity (OCREO), at (202) 586-2218 within 45 calendar days of the date of the alleged discrimination, or 45 calendar days from the date on which they reasonably became aware of the discrimination. Field Site employees or applicants for employment should contact their local EEO office within the same 45-day period. If a formal complaint is accepted, a prompt, thorough, and impartial investigation will be conducted. The Department seeks to protect the confidentiality of discrimination and harassment allegations to the fullest extent possible, and shares information only with those who have a need to know in the performance of their official duties.

Employees and applicants for employment have the right to report incidents of discrimination or harassment without fear of retaliation. Retaliation is a form of discrimination where an employee is subjected to an adverse employment action or harassment, solely because he or she filed a charge of discrimination or harassment; participated in an EEO investigation, proceeding, or hearing; or took other similar action in opposition to unlawful discrimination or harassment.

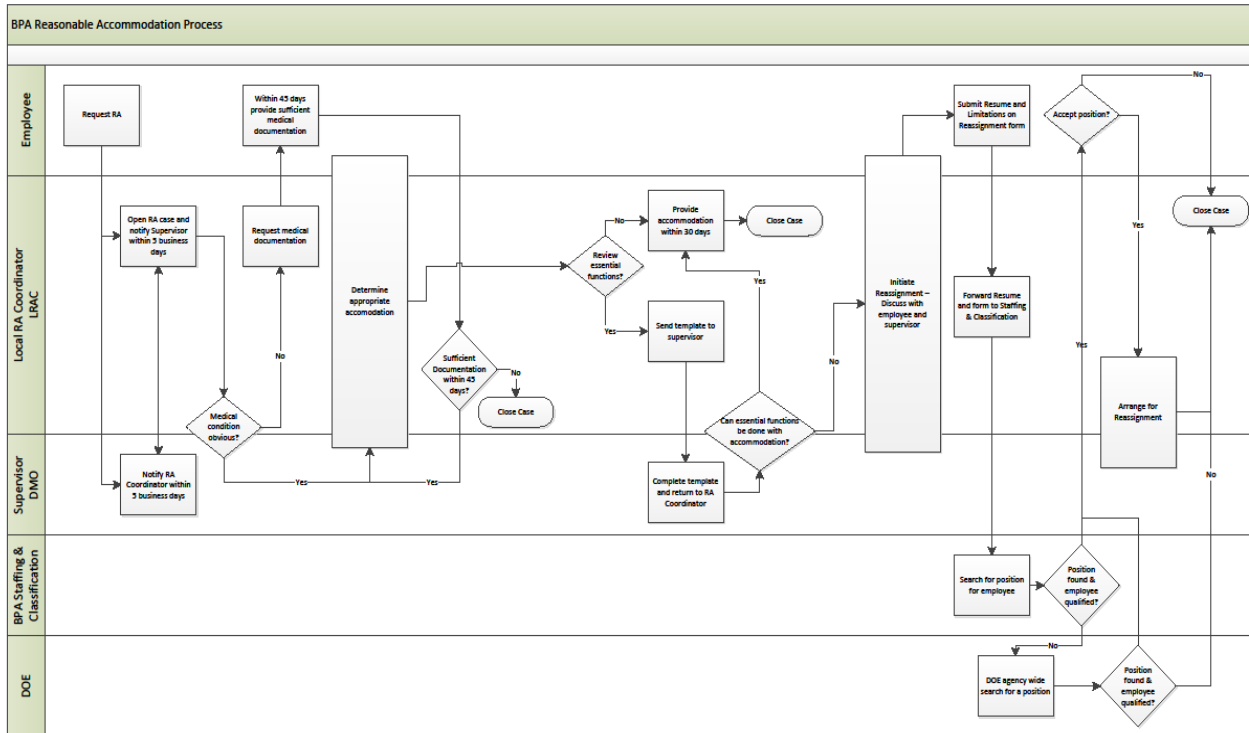
It is the responsibility of the Department to address matters before they reach the level of severe or pervasive harassment, with the goal of preventing harassment before employees have been subjected to actionable harm. As a result, the Department may choose to conduct an inquiry into the matter, even in the absence of an EEO complaint.

The Department fully supports the use of Alternative Dispute Resolution (ADR) as a way to resolve conflict constructively and at the earliest opportunity. For more information regarding ADR resources, contact the ADR Office at (202) 586-4002, the Office of the Ombudsman at (202) 586-0500, or ask your local EEO office for details.

Our mission is critical to our Nation. Unlawful discrimination and harassment in the workplace undermines our ability to achieve our mission. Accordingly, I expect each employee to honor the principles of EEO in the workplace. Any employee who engages in discrimination or harassment in violation of the law or this policy may be subject to disciplinary action, including suspension or dismissal. Managers who have knowledge of an act of possible discrimination or harassment should contact their local EEO or Human Capital Office, or the Office of the Ombudsman, for guidance. Managers must act promptly and appropriately to eliminate and prevent discrimination and harassment in the workplace.

For more information regarding discrimination or harassment in the workplace, or additional information on how to file an EEO complaint, go to <http://energy.gov/diversity/services>, and click on "Protecting Civil Rights."

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To view BPA's Reasonable Accommodation Written Procedures in its entirety: Right Click the icon below, Select Acrobat Document Object

BPA Reasonable Accommodation Procedures

	Detail	Role
Step 1	Reasonable accommodation request made to either the Local Reasonable Accommodation Coordinator (LRAC) or Supervisor/Designated Management Official (DMO). <ul style="list-style-type: none"> • If request made to DMO, move to Step 2. • If request made to LRAC, move to Step 3. 	Employee
Step 2	Forward request to LRAC within 5 business days.	DMO
Step 3	Open a Reasonable Accommodation case and send written notification to both the employee and their DMO within 5 business days. <ul style="list-style-type: none"> • Add case to tracking list. • Provide relevant documentation to the employee. 	LRAC
Step 4	Collaborate to determine if the medical condition is obvious. Examples include: missing limbs, wheelchair bound, etc. <ul style="list-style-type: none"> • If medical condition is obvious, move to Step 5. • If medical condition is not obvious, move to Step 6. 	LRAC/DMO
Step 5	Determine appropriate accommodation and work with resources to implement. Implement within 30 days if possible. Once the accommodation has been implemented, move to Step 32.	LRAC/DMO & Employee
Step 6	Request sufficient medical documentation to support the accommodation request.	LRAC
Step 7	Provide medical documentation. <ul style="list-style-type: none"> • If documentation is not provided within 45 calendar days, move to Step 8. • If documentation is provided within 45 calendar days, move to Step 9. 	Employee
Step 8	Notify employee that documentation was not received in a timely manner and move to Step 32.	LRAC
Step 9	Review medical documentation to verify that the employee is covered under the rehabilitation program and that sufficient medical documentation has been provided. <ul style="list-style-type: none"> • If employee does not qualify for reasonable accommodation, notify employee and move to Step 31. • If employee does qualify for reasonable accommodation, move to Step 10. 	LRAC

No separate Personal Assistance Services Procedures were submitted. Additionally, RA Coordinator provides advice, counsel and assistance to those seeking such services in accordance with DOE procedures.

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**To view BPA's Alternative Dispute Resolutions Guide in its entirety:
Right Click the icon below, Select Acrobat Document Object and Select**

In Summary, Mediation...

- Is a **voluntary, confidential, and informal** process for addressing conflicts and disputes;
- Allows you to **remain in control** of the outcome;
- Offers **cooperative, non-adversarial**, problem solving;
- Provides an opportunity to **clarify** issues and improve communication; and,
- Is most effective when employed early.

Are There Any Risks?

Since mediation is *voluntary* and *confidential*, there are few risks and no retribution if you decline to mediate. As long as procedural time limits are observed, disputes can be mediated without jeopardizing anyone's legal rights to utilize more formal procedures.

Compare the Alternatives...

Mediation	Formal Systems
Parties Help Create Solutions	Someone Else Decides
Win / Win	Win / Lose
Cooperative	Adversarial
Builds Relationships	Can Damage Relationships
Informal	Formal
Quick	Prolonged
Voluntary	Enforced

Comments from Past Participants

"I felt for the first time that I was heard by the other party."

"We came away with clear objectives."

"The skills of the mediators allowed emotions while keeping track of the issues."

"We broke through some barriers."

"We all gained insight."

Contacts

Contact BPA's Alternative Dispute Resolution (ADR) Coordinator:

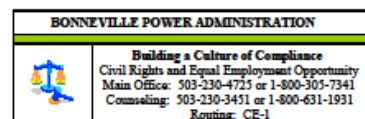
Angela L. Dowling
aldowling@bpa.gov
503- 230-3642 or

Call: 503- 230-5126

BPA's Conflict Information & Referral Line for private and confidential information about BPA's ADR options

Related Websites

- <http://internal.bpa.gov/EmployeeCenter/ConflictManagement/Pages/ConflictDisputeResolution.aspx>
- <http://www.oregonfeb.us/shared-neutrals/>



**Working
It
Out . . .**

**Through
Mediation**

Unaddressed Conflicts

Tend to Escalate

So Don't Wait...

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To view BPA's Federal Equal Opportunity Recruitment Plan (FEORP) in its entirety: Right Click the icon below, Select Acrobat Document Object

Bonneville Power Administration (BPA)
Fiscal Year 2018 Federal Equal Opportunity Recruitment Program (FEORP) Plan Overview

Introduction

In Fiscal Year 2018, the Bonneville Power Administration (BPA) provided management officials with a host of staffing tools and resources to support recruitment and outreach efforts. This allowed BPA to reach, educate, and introduce potential applicants to a multitude of employment opportunities that covered administrative, technical, professional, and supervisory/managerial career paths. This led to several, quality hires from an applicant pool rich with talent and diversity.

In comparison to FY18's Start-of-Year (SOY) staffing levels, for SOY FY19, women decreased by .6%; minority groups stayed the same at 17.3%; and people with disabilities had a slight increase of .2%.

	Start of FY16		Start of FY17		Start of FY18		Start of FY19	
Total Workforce	2921		2933		2902		2796	
Women	895	30.60%	889	30.30%	850	29.20%	801	28.60%
Minority (all minority groups)	481	16.50%	499	17.00%	503	17.30%	485	17.30%
People with Disabilities	365	12.50%	385	13.10%	298	10.20%	292	10.40%

Fiscal Year 2018 FEORP Plan Accomplishments and Promising Practices

In FY18, 98% of employees completed diversity training (2707/2768). Employees had multiple options to fulfill the diversity training requirements, including:

- Instructor led classroom sessions
- Web-based training through DOE's Online Learning Center (OLC)
- Field training sessions, typically delivered during field training weeks
- Internal special events, such as:
 - Special emphasis observances and cultural awareness events (typically sponsored by employee resource groups)
 - Diversity events sponsored by other BPA organizations (such as Tribal Affairs)
- External trainings

Employees follow the diversity training credit approval process to request diversity training credit for an internal or external event.

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**To view BPA's Disabled Veterans' Affirmative Action Plan (DVAAP):
Right Click the icon below, Select Acrobat Document Object and Select**

**Bonneville Power Administration
Disabled Veterans Affirmative Action Program (DVAAP)
FY18 Accomplishment Report**

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No separate Operational Plan for Increasing Employment of Individuals with Disabilities under Executive Order 13548 was submitted. BPA utilizes the same outreach and recruitment approach in an attempt to increase representation of Individuals with Disabilities (IWDs) as outlined in the DVAAP.

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B O N N E V I L L E P O W E R A D M I N I S T R A T I O N

Diversity and Inclusion Office



MISSION

The mission of BPA's Diversity and Inclusion Office is to build an inclusive culture that leverages the power of diversity using self-awareness and safe dialogue.

VISION

A sustainable culture of inclusion where people who look, talk and think differently are valued and can come together to generate innovative solutions that benefit the communities we serve.

FIVE-YEAR PLAN SUMMARY

We all have a part in creating and maintaining an inclusive and welcoming environment by recognizing and embracing the differences that give Bonneville Power Administration a strategic business advantage. We identified three factors that are critical to the success of our five-year plan:

- **Increase workforce demographic diversity.** Recruit and retain a highly talented workforce that reflects the communities we serve.
- **Empower leadership at all levels.** Engage our entire workforce to create and sustain a culture of inclusion.
- **Foster a culture of inclusion.** Leverage our personal stories to connect with one another through shared purpose, self-awareness and create opportunities for safe dialogue.

INCREASE WORKFORCE DEMOGRAPHIC DIVERSITY

This critical success factor is focused on recruiting and retaining a highly talented workforce that reflects the communities we serve. By using a data-driven approach to optimize diversity we will be creating an environment where differences are valued and where people who look, talk and think differently can work productively together.

The major actions supporting the increase workforce demographic diversity critical success factor are:

- Reduce barriers for underrepresented groups.
- Assess leadership development programs.
- Explore strategies to eliminate unconscious bias.
- Review contract worker demographics.



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To view BPA's Diversity and Inclusion Plan under Executive Order 13583 in its entirety: Right Click the icon below, Select Acrobat Document

D O N N E V I L L E P O W E R A D M I N I S T R A T I O N

Diversity and
Inclusion Office



Five Year Plan

Updated September 26, 2017

No separate Diversity Policy was submitted. BPA utilizes Diversity and Inclusion Plan to communicate its stance on and employees' roles in the organization's diversity and inclusion efforts.

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To view the Human Capital Strategic Plan in its entirety: Right Click the icon below, Select Acrobat Document Object and Select Open



Bonneville Power Administration

FY 2018/2019 Workforce Plan

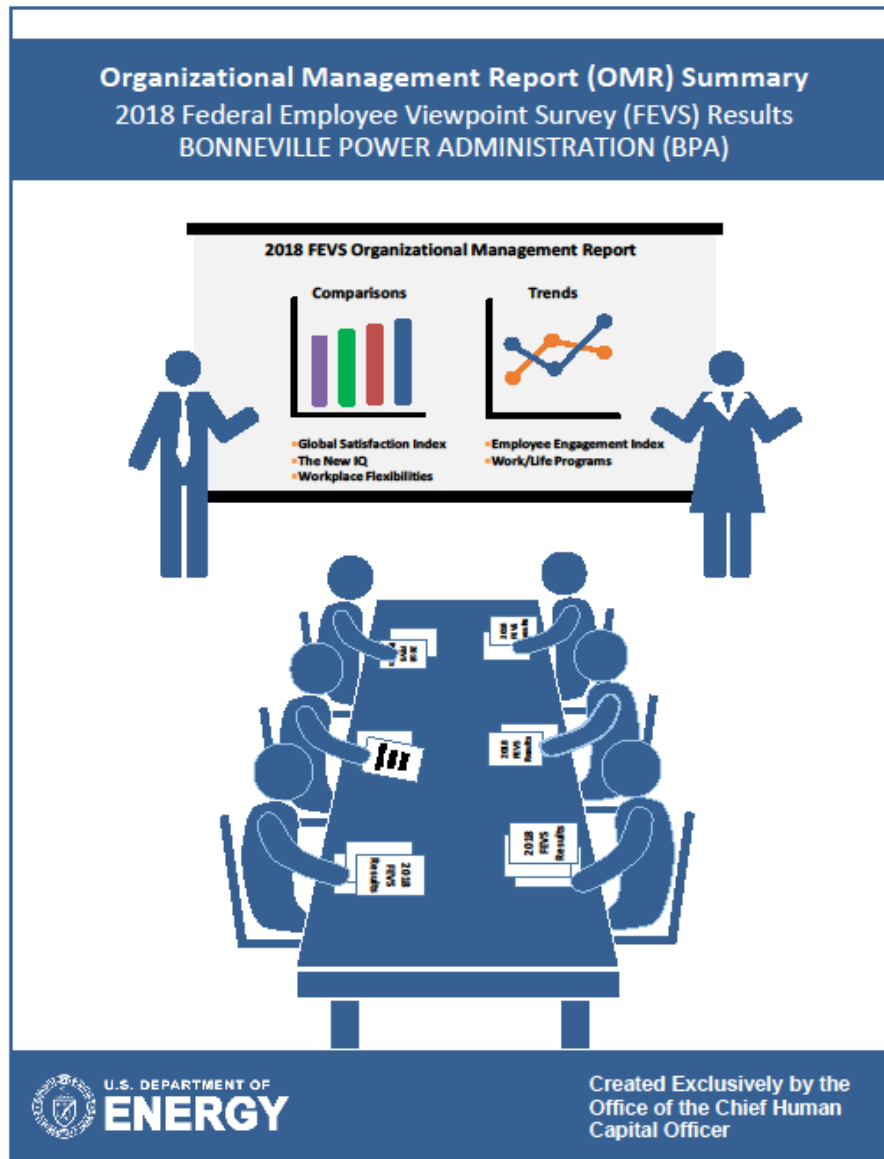
October 2017



No separate EEO Strategic Plan was submitted. BPA utilizes the MD 715 to highlight its goals, as well as its ongoing program of work.

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To view the most recent Federal Employee Viewpoint Survey in its entirety: Right Click the icon below, Select Acrobat Document Object



2018 OMR Summary

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